

AB 2036

Assembly Member Patty López

Online Child Care Job Posting: Consumer Education

BILL SUMMARY

This bill would require online companies that advertise child care services provided by license-exempt child care providers (ex. babysitters and nannies) to post a statement about the California Trustline registry and, if the service provides access to a background check, a written description of the background check provided to it by the background check service provider. The bill would make a background check service provider responsible for providing the online child care job posting service with certain information and the Attorney General responsible for enforcement, but allows an individual to bring civil action if the company violates the law.

BACKGROUND

The California Legislature established the TrustLine Registry which is administered by the California Department of Social Services. TrustLine is a registry of child care providers that are not required to be licensed but who have undergone criminal background checks. The Trustline Registry is the official background check for license-exempt child care providers (i.e. babysitters and nannies) and the only authorized screening program in California with access to fingerprint records at the California Department of Justice and the Federal Bureau of Investigation and access to the California Child Abuse Central Index. The providers that have undergone this background check and have nothing disqualifying in their background are known as registered TrustLine child care providers.

PROBLEM

In recent years, finding and obtaining child care providers has changed. When parents begin their child care search, many begin online and use the search terms “babysitters” or “nannies” and online child care job posting services make up the majority of websites that are provided by search engines.

Many of these companies advertise that their providers have passed background checks leading a consumer to believe that they are making the most informed and safest decisions about the individual(s) they hire to care for their child(ren), but typically these companies’ background checks are conducted by a 3rd party background check service. First, these 3rd party services do not include the comprehensive fingerprint data and child abuse report information included in California’s TrustLine check. Second, it is difficult for child care consumers using the job posting sites to determine what the background check that may be conducted includes and does not include.

SOLUTION

Require online child care job posting services to provide information on California’s TrustLine Registry and a written description of what is included in the 3rd party background checks.

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